

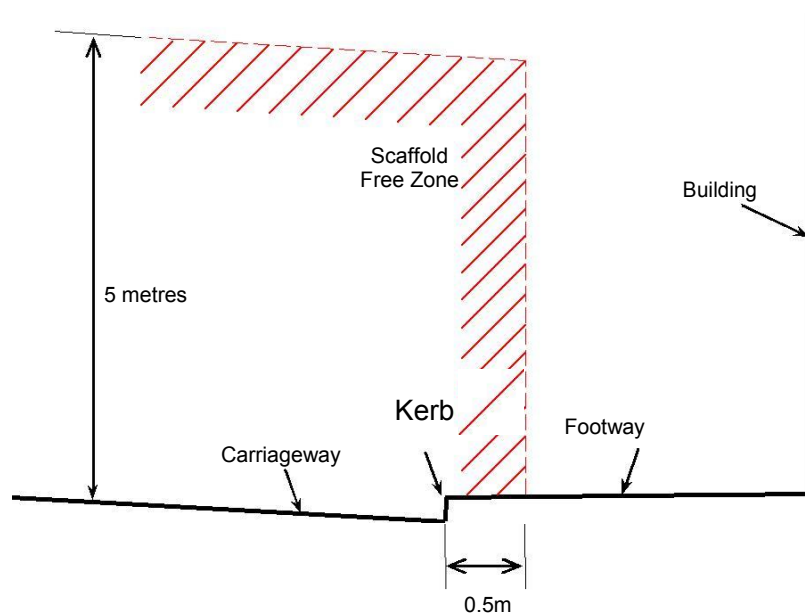


Control of Scaffolding – Highways Act Section 169

Terms and Conditions

1. A Licence to erect scaffolding on the highway will be granted **only** to the company erecting the scaffold. Where a scaffold is erected on or adjacent the highway, a hoarding will be required in accordance with Highways Act 1980 Section 172, unless a dispensation has been given, as noted on the Licence.
2. Public Liability insurance, giving a minimum cover of £5m for any one incident, must be in place before being granted a licence. Evidence of such cover will be required with the application for a licence to erect scaffolding on the Highway.
3. Scaffolds shall be erected to the requirements of all current relevant legislation, Codes of Practice, British Standards and Guides to Good Practice.
4. The Licensee indemnifies Durham County Council against any claims which may arise in consequence of the existence of the scaffold in the highway or the use of the scaffold.
5. Licences will be granted for the duration required. However, where a scaffold or other structure is required for a period longer than the original licence period, an application for a new Licence must be made. An application for a new Licence must be made at least 3 working days prior to the expiry of the current Licence.
6. Unless the Licensee notifies Durham County Council to the contrary prior to the erection of the scaffold, the existing footway and carriageway at the site of the scaffold is deemed to be in sound condition.
7. The cost to repair any damage caused to the footway or carriageway by the presence or use of the scaffolding will be recharged to the Licensee. The account must be settled within 7 days of receipt of invoice.
8. Once a scaffold structure greater than 2 metres in height has been erected in the Highway, the Licensee must submit a copy of the handover certificate to Durham County Council to show that a competent person has supervised the erection of the scaffold, and that it complies with all relevant legislation.
9. During the erection, modification and dismantling of the scaffold, the public must be excluded from the area of work, by signing and guarding erected in accordance with the New Roads and Street Works Act 1991 Code of Practice for the Safety at Street Works and Road Works.
10. In town centre areas, scaffold erection, modification and dismantling may be carried out **only** after 6.00pm and before 11.00pm, and subject to any other specific requirements imposed by the County Council. *Each application will be considered on its merits and if it is determined it is safer, for the general public and/or any affected party, to allow the erection, modification and dismantling of the scaffold prior to 6.00pm Durham County Council reserves the right to make that amendment.*
11. A minimum of 48 hours notice of the dismantling and removal of the scaffold must be given to Durham County Council to enable an inspection of the footway/carriageway to be undertaken.
12. The scaffold must display in a prominent position a copy of the licence printed on dayglo orange paper, either encapsulated or in a reusable acrylic notice holder. The name of the scaffold erection company and emergency contact telephone number shall also be clearly displayed on the scaffold.

13. A clear pedestrian walkway, preferably 1.5 metres wide (1.2 metres minimum), must be provided around the structure. Where there is insufficient footway width, the walkway must be provided through the scaffold with minimum clear headroom of 2.4 metres. If neither is possible, such a walkway must be provided in the carriageway, signed, guarded and lit in accordance with the New Roads and Street Works Act 1991 Code of Practice for the Safety at Street Works and Road Works.
14. All tubular supports adjacent to the pedestrian walkway must be fitted with scaffold tube padding. Each tubular support shall be provided with a white band at least 150mm in depth, the lower edge of which should be about 1.6 metres above ground level. All fittings lower than 2.4 metres and adjacent to the pedestrian walkway(s) must be adequately protected to prevent danger to pedestrians.
15. At night the scaffold structure is to be lit at each corner and at maximum 6 metres intervals along the length(s) of the scaffold exposed to the public. Lighting shall be by securely attached amber warning lamps.
16. Where ambient lighting levels on the pedestrian walkway are adversely affected by the scaffold structure, additional lighting shall be provided to the satisfaction of the County Council.
17. No part of the scaffold structure shall protrude into a zone defined by 5 metres above the carriageway, and within 0.5 metres of the edge of the carriageway (see diagram below). If any part of the scaffold structure projects into the zone, a temporary kerb, to an approved specification, shall be provided to maintain the scaffold free zone.



18. Highway users must be fully protected from all activities taking place on the scaffold by the use of sheeting, netting, rubbish chutes, close boarding, fans, brick guards etc.
19. Warning signs with the legend "Danger – Men Working Above" must be clearly displayed to pedestrians at each end of the scaffold structure.
20. Any scaffolding considered being a danger to users of the highway, causing damage to the Highway, or not complying with the terms and conditions of the Licence, will have its Licence revoked and, on the written instruction of the Highway Authority, shall be removed forthwith.
21. On removal of the scaffolding, the highway shall be left in a clean and safe condition.